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Division

01 Homicide and related offences

Australian and New Zealand Standard Offence Classification (ANZSOC)

Reference period: 2011

Released 2/06/2011

Division 01 - Homicide and related offences

Unlawfully kill, attempt to unlawfully kill or conspiracy to kill another person.

This division is further disaggregated into subdivisions on the basis of the level of culpability involved, as reflected by:

- a criminal intent in the form of either an intent to kill or to commit a crime leading to the killing of another person; or
- the degree of involvement in the physical act of killing another person.

Offences in this division are classified into the following subdivisions:

011 Murder

012 Attempted murder

013 Manslaughter and driving causing death

Inclusions:

Kill on provocation

Kill an unborn child/infanticide

Accelerate death

Fail to take proper precaution to prevent death

Death caused by an act or omission during surgical or medical treatment

Exclusions:

Procure or commit an illegal abortion is excluded from this division as in legal terms it is not treated as a homicide. It is coded to Group 1695,

Procure or commit illegal abortion.

Subdivision

011 Murder

Subdivision 011 Murder

Unlawfully kill another person where there is one or more of the following:

- the intent to kill;
- the intent to cause grievous bodily harm, with the knowledge that it was probable that death or grievous bodily harm would occur (reckless indifference to life); or
- without intent to kill in the course of committing a crime (felony murder).

This subdivision is not further disaggregated.

Offences in this subdivision are classified into the following group:

0111 Murder

0111 Murder

Unlawfully kill another person where there is one or more of the following:

- the intent to kill;
- the intent to cause grievous bodily harm, with the knowledge that it was probable that death or grievous bodily harm would occur (reckless

indifference to life); or

- without intent to kill in the course of committing a crime (felony murder).

Inclusions:

Conspiracy to murder that results in death

Unlawfully kill a person under care

Exclusions:

Assist in the suicide of another person. These are coded to Group 0131, Manslaughter.

Kill an unborn child/infanticide. These are coded to Group 0131, Manslaughter.

Procure or commit illegal abortion. These are coded to Group 1695, Procure or commit illegal abortion.

Attempted murder. These are coded to Group 0121, Attempted murder.

Conspiracy to murder that does not result in death. These are coded to Group 0121, Attempted murder.

Threats to kill that are face-to-face where there is an apprehension that the threat could be enacted. These are coded to Group 0212, Serious assault not resulting in injury.

Subdivision

012 Attempted murder

Subdivision 012 Attempted murder

The attempted unlawful killing of another person, where there is either the intent to kill or to cause grievous bodily harm with the knowledge that it was probable that death or grievous bodily harm would occur (reckless indifference to life), not resulting in death.

This subdivision is not further disaggregated.

Offences in this subdivision are classified into the following groups:

0121 Attempted murder

0121 Attempted murder

The attempted unlawful killing of another person where there is either the intent to kill or to cause grievous bodily harm with the knowledge that it was probable that death or grievous bodily harm would occur (reckless indifference to life) but where death did not actually occur.

Inclusions:

Conspiracy to murder that does not result in death

Exclusions:

Inflict injury where there was not an intent to kill the other person. These are coded to the relevant groups within Division 02, Acts intended to cause injury.

Conspiracy to murder that results in death. These are coded to Group 0111, Murder.

Subdivision

013 Manslaughter and driving causing death

Subdivision 013 Manslaughter and driving causing death

The unlawful killing of another person while deprived of the power of self-control by provocation, or under circumstances amounting to diminished responsibility or without intent to kill, as a result of a careless, reckless, negligent, unlawful or dangerous act.

This subdivision is further disaggregated on the basis of whether the offence involved manslaughter or driving causing death.

Offences in this subdivision are classified into the following groups:

0131 Manslaughter

0132 Driving causing death

0131 Manslaughter

The unlawful killing of another person while deprived of the power of self-control by provocation, or under circumstances amounting to diminished responsibility or without intent to kill, as a result of a careless, reckless, negligent, unlawful or dangerous act (other than the act of driving).

Inclusions:

Kill an unborn child/infanticide

Kill by the use of excessive force in self-defence

Survive suicide pact

Assist in suicide of another person

Industrial/corporate manslaughter

Exclusions:

Breach of Euthanasia Legislation not amounting to murder, attempted murder or assault. These are coded to Group 1329, Regulated Public Order Offences, nec.

Procure or commit illegal abortion. These are coded to Group 1695, Procure or commit illegal abortion.

Unlawfully kill a person under care. These are coded to Group 0111, Murder.

0132 Driving causing death

The unlawful killing of another person without intent to kill, as a result of culpable, reckless, or negligent driving.

Inclusions:

Death caused by a driver under the influence of alcohol/drugs